

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION

Michael Fink,

Civil No. 1:20-cv-222-DLH-CRH

Plaintiff,

vs.

**JOINT STIPULATION TO MODIFY
SCHEDULING/DISCOVERY PLAN**

BNSF Railway Company,
a corporation,

Defendant.

Pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure and the Court's Scheduling/Discovery Plan filed on January 27, 2021, the parties move for modification to extend discovery and expert disclosure deadlines.

Upon stipulation of the parties, the parties jointly request the Scheduling Order to be modified as follows:

- a. The parties shall have until **April 1, 2022** to serve fact discovery. The Parties shall have until **May 2, 2022** to complete all fact discovery.
- b. The parties shall provide the names of expert witnesses and complete reports under Rule 26(a)(2) as follows:
 - i. Plaintiff shall serve disclosures by **May 6, 2022**;
 - ii. Defendant shall serve disclosures by **June 6, 2022**; and
 - iii. Reports for rebuttal experts, if any, shall be served on or before **June 27, 2022**.

Dated: February 2, 2022

Respectfully submitted,

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Attorney for Plaintiff

ORDER

The above matter came before this Court pursuant to the parties' Joint Stipulation to Modify Scheduling/Discovery plan. The Court, having fully considered the stipulation herein, makes the modifications to the Scheduling/Discovery Plans as follows:

IT IS HEREBY ORDERED:

- a. The parties shall have until **April 1, 2022** to serve fact discovery. The Parties shall have until **May 2, 2022** to complete all fact discovery.
- b. The parties shall provide the names of expert witnesses and complete reports under Rule 26(a)(2) as follows:
 - i. Plaintiff shall serve disclosures by **May 6, 2022**;
 - ii. Defendant shall serve disclosures by **June 6, 2022**; and
 - iii. Reports for rebuttal experts, if any, shall be served on or before **June 27, 2022**.

SO ORDERED.

Date: _____

Clare R. Hochhalter, Magistrate Judge
United States District Court